

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

MICHAEL A. HARMON, JR.,  
Petitioner,

v.  
D.R. STEPHENS,

Respondent.

**Judgment in a Civil Case**

Case Number: 5:11-HC-2031-BO

**Decision by Court.**

This action came before the Honorable Terrence W. Boyle, United States District Judge, for consideration of the respondent's motion to dismiss, or in the alternative, for summary judgment.

**IT IS ORDERED AND ADJUDGED** that respondent's motion to dismiss is granted and this action is hereby dismissed.

This Judgment Filed and Entered on October 31, 2011, with service on:

Michael A. Harmon, Jr. 96127-071, Federal Correctional Institution, P.O. Box 1500, Butner, NC 27509 (via U.S. Mail)

Christina A. Kelley (via CM/ECF Notice of Electronic Filing)

October 31, 2011

/s/ Dennis P. Iavarone

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Clerk

Raleigh, North Carolina